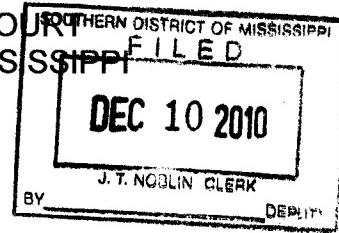


**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**



## NANNETTE D. TANKSLEY

**Plaintiffs,**

**vs.**

**THE GEO GROUP, INC. D/B/A  
EAST MISSISSIPPI  
CORRECTIONAL FACILITY**

**Defendant.**

CASE NO. 4:10CV205 HTW-LRA

## **JURY TRIAL DEMANDED**

## **COMPLAINT**

This is an action brought under Title VII of the Civil Rights Act of 1964, as amended, against Defendant, The Geo Group, Inc. d/b/a East Mississippi Correctional Facility (“Defendant,” “The Geo Group,” “the Company,” or the like), to correct the unlawful practice of treating employees differently with respect to the terms, conditions, and privileges of their employment based upon their race and gender.

The GEO Group (f/k/a “Wackenhut Corrections Corporation”) is a self-proclaimed “leader in the delivery of private correctional and detention management, community re-entry services as well as behavioral and mental health services to government agencies around the globe.”<sup>1</sup> Moreover, The Geo Group boasts that it “ensures” that it provides its employees with “a stable career” that “they can feel good about.”<sup>2</sup>

<sup>1</sup> See [www.theqegroupinc.com](http://www.theqegroupinc.com).

<sup>2</sup> See [www.thegeogroupinc.com/Opportunities.asp](http://www.thegeogroupinc.com/Opportunities.asp).

1 Nannette D. Tanksley ("Plaintiff," "Tanksley," or the like) – an African American  
2 female who was wrongfully accused of misappropriating property intended to be  
3 distributed to inmates incarcerated at East Mississippi Correctional Facility, humiliated by  
4 her supervisors, denied such emoluments and advantages of employment as were  
5 provided to Caucasian and/or male employees, and ultimately discharged from her  
6 employment in violation of the law – begs to differ.  
7

## 8 I. JURISDICTION AND VENUE

9 1. The jurisdiction of this Court is invoked pursuant to 28 U.S.C. § 1331, 1333(4).  
10 This is a suit authorized and instituted pursuant to Title VII of the Act of Congress known  
11 as the "Civil Rights Act of 1964," as amended by the "Civil Rights Act of 1991," the "Civil  
12 Rights Act of 1866," as amended, and Plaintiff's state law claims. The jurisdiction of this  
13 Court is invoked to secure the protection and to redress the deprivation of rights secured  
14 by 42 U.S.C. § 2000e et seq., as amended, and 42 U.S.C. § 1981, as amended,  
15 providing injunctive and other relief against racial and gender discrimination.

16 2. The employment practices alleged to be unlawful were committed within the  
17 jurisdiction of the United States District Court for the Southern District of Mississippi.

## 18 II. PARTIES

19 3. Plaintiff, Nannette D. Tanksley, is an African American female citizen of the  
20 United States who resides in Meridian, Mississippi.

21 4. At all relevant times, Defendant has maintained and operated a business  
22 known as the East Mississippi Correctional Facility, located at 10641 Highway 80 West,  
23 Meridian, Mississippi. At all times relevant to this action, Defendant has continuously  
24 engaged in an industry affecting commerce, has fifteen or more employees, and is an  
25 employer within the meaning of 42 U.S.C. § 2000e(b), (g) and (h). Service of process  
26

1 may be effected upon Defendant via its registered agent, Corporate Creations Network,  
2 Inc., 248 East Capital Street #840, Jackson, Mississippi 39201.  
3

### III. ADMINISTRATIVE PROCEDURES

4 5. Plaintiff hereby adopts and realleges paragraphs one (1) through four (4)  
5 above as if fully set forth herein.  
6

7 6. Plaintiff brings this action for the unlawful employment practices and acts of  
7 intentional discrimination that occurred while Plaintiff was employed by the Defendant.  
8

9 7. This action seeks to redress unlawful employment practices resulting from the  
10 acts of Defendant, its agents, servants, and employees committed with respect to  
11 Plaintiff's employment, and for a permanent injunction restraining Defendant from  
12 maintaining a habit and/or practice of discriminating against Plaintiff and others similarly  
13 situated on account of race and gender.  
14

15 8. On or about October 8, 2009, within 180 days of the last discriminatory act of  
16 which Plaintiff asserts a Title VII claim, Plaintiff filed a Charge of Discrimination (Charge  
17 No. 420-2010-00086) with the Equal Employment Opportunity Commission (hereinafter  
18 "EEOC"). See Exhibit "A."  
19

20 9. The EEOC issued a notice of right to sue to Plaintiff on or about September  
21 15, 2010. See Exhibit "B." Plaintiff has filed suit within 180 days of receipt of her Notice  
22 of Right to Sue. All administrative prerequisites for filing suit have been satisfied, and  
23 Plaintiff is entitled to bring this action.  
24

### IV. FACTS

25 10. Plaintiff hereby adopts and realleges paragraphs one (1) through nine (9)  
26 herein above as if fully set forth herein.  
27  
28

1           11. Plaintiff is an African American female who began working for Defendant in  
2           August 2004 as a Correctional Officer. Approximately one year later she was promoted  
3           the position of Commissary Manager.

4           12. Defendant discharged Plaintiff from her employment on or about August 19,  
5           2009. Plaintiff attempted to appeal her discharge, but Defendant would not consider  
6           same.

7           13. Plaintiff was informed by Defendant that her employment was terminated  
8           because she embezzled property intended to be distributed to inmates incarcerated at  
9           East Mississippi Correctional Facility. These allegations were not true. Plaintiff avers  
10          that Caucasian employees who engaged in the same or similar type of misconduct were  
11          not subjected to discipline or discharge, and that Defendant allowed Caucasian  
12          employees to file internal appeals, and accepted such appeals, in relation to proposed  
13          adverse job actions.

15           **V. STATEMENT OF PLAINTIFF'S CLAIMS**  
16           **RACIAL AND GENDER DISCRIMINATION<sup>3</sup>**

17           14. Plaintiff adopts and realleges the allegations of paragraphs one (1) through  
18           thirteen (13) as if fully set forth herein.

19           15. Upon information and belief, Plaintiff avers that Defendant has a progressive  
20          discipline policy, and if there were any alleged issues with Plaintiff's performance, she  
21          should have been disciplined pursuant to the progressive discipline policy. Upon  
22          information and belief, Plaintiff avers that Defendant has implemented an appeals  
23          process to allow employees to address adverse employment actions taken against  
24          them. Plaintiff avers that Defendant failed to comply with the appeals process after  
25          Plaintiff invoked her rights provided by same.

27           

---

<sup>3</sup> Plaintiff has set forth her Title VII and 42 U.S.C. § 1981 allegations in one Count.  
28

1       16. Upon information and belief, Plaintiff avers that Defendant has treated women  
2 and African American employees, including Plaintiff, differently from Caucasian and/or  
3 male employees in the interpretation and application of its policies, including, but not  
4 limited to, its progressive discipline and appeals policies.

5       17. Plaintiff avers the Defendant treated her and other women and African  
6 American employees differently from the Caucasian and/or male employees with regard  
7 to terms and conditions of employment. Plaintiff avers that the Defendant has a habit  
8 and/or pattern of discriminating against African American employees.

9       18. Plaintiff avers based on the facts set forth herein that while she was employed  
10 by Defendant, she was subjected to racial and gender discrimination. Plaintiff's claims  
11 include, but are not limited to, claims that she was denied pay, denied promotions,  
12 denied pay raises, unjustly reprimanded, disciplined, and terminated because of her  
13 race (African American) and/or gender (female). Plaintiff avers that African American  
14 and/or female employees were subjected to discriminatory terms and conditions of  
15 employment, and that the Defendant has a pattern and/or habit of discriminating against  
16 African Americans and/or women employees.

17       19. Plaintiff avers that Defendant condoned and tolerated the racial and gender  
18 discrimination. Defendant's actions were in violation of Title VII of the "Civil Rights Act  
19 of 1964," as amended, and the "Civil Rights Act of 1866," as amended, 42 U.S.C. §  
20 1981.

21       20. Plaintiff has no plain, adequate or complete remedy at law to redress the  
22 wrongs alleged herein, and this suit for back pay, front pay, compensatory damages,  
23 punitive damages, attorney's fees, expenses, costs, injunctive relief, and declaratory  
24 judgment is her only means of securing adequate relief.

21. Plaintiff is now suffering and will continue to suffer irreparable injury from Defendant's unlawful policies and practices set forth herein unless enjoined by this Court.

22. The acts and omissions of Defendant as described herein were willful, deliberate, and done with callous disregard for the rights, sensibilities of, and likelihood of harm to Plaintiff. Accordingly, Plaintiff is entitled to punitive damages as a result of Defendant's intentional acts in violation of Plaintiff's federally protected rights. Alternatively, Plaintiff is entitled to punitive damages because Defendant's unlawful acts against Plaintiff were committed maliciously and/or in reckless disregard of Plaintiff's rights.

## **PRAYER FOR RELIEF**

WHEREFORE, the Plaintiff requests that this Court adopt jurisdiction of this action and award Plaintiff the following relief:

a. Enter a declaratory judgment that Defendants' policies, practices and procedures complained of herein have violated and continue to violate the rights of the Plaintiff as secured by Title VII of the "Civil Rights Act of 1964," as amended, and by the "Civil Rights Act of 1866," as amended, by 42 U.S.C. § 1981;

b. Grant Plaintiff a permanent injunction enjoining Defendant, its Agents Successors, Employees, Attorneys, and those acting in concert with Defendant or at Defendant's request, from violating Title VII of the "Civil Rights of 1964," as amended, and the "Civil Rights Act of 1866," as amended, by 42 U.S.C. § 1981; and

c. Grant Plaintiff an Order requiring Defendant to make her whole by granting appropriate declaratory and injunctive relief, lost employment benefits and wages, back pay, front pay, interest, compensatory and punitive damages, damages for humiliation,

embarrassment, and mental anguish, costs, attorney's fees and any and all such other relief the trier of fact or the Court may assess.

d. Plaintiff prays for such other, further, different or additional relief and benefits as justice may require.

RESPECTFULLY SUBMITTED ON THIS DATE: December 10, 2010.

**JURY TRIAL REQUESTED.**

Steve Brandon  
Stephen A. Brandon (MB #8655)

**COUNSEL FOR PLAINTIFF,  
NANNETTE D. TANKSLEY**  
Sykes & Brandon  
578 Lakeland East Drive, Suite A  
Jackson, Mississippi 39232  
(601) 957-5500  
Facsimile: (408) 701-9827  
*Email:* steve@sykesandbrandon.com

**SYKES & BRANDON**  
578 LAKELAND EAST DRIVE, SUITE A  
FLOWOOD, MISSISSIPPI 39232  
(601) 957-5500

**COMPLAINT**  
**TANKSLEY V. THE GEO GROUP, INC. D/B/A EAST MISSISSIPPI CORRECTIONAL FACILITY**